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3 Plaintiff in Pro Se
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JORGE ALEJANDRO ROJAS,
v.
UNPLUGGED MEDIA, LLC, et al,
Defendants.

Case No. 2:23-cv-02667-SPG-KS

District Judge Sherilyn Peace Garnett
Magistrate Judge Karen L. Stevenson

**REQUEST FOR ELECTRONIC
APPEARANCE VIA ZOOM**

Plaintiff, Jorge Alejandro Rojas, pursuant to this Court's Requirements and Procedures, requests the ability to attend the December 13, 2023 Hearing on Plaintiff's Motion for Alternative Service (Dkt. 25) via Zoom. Pursuant to L.R. 7-3, Plaintiff has attempted to but has been unable to obtain a position from Defendants as to this request. Plaintiff has e-mailed the Defendant Alexander Bykhovsky and has not received a response. In an earlier email, dated November 7, 2023, Mr. Bykhovsky stated "I am in Panama. It is logically impossible for me to address this until/unless I move back to the United States."

Plaintiff commenced this action under the Telephone Consumer Protection Act, 47 U.S.C. § 227, initially naming Defendants which have since been dismissed with prejudice. The operative complaint names Unplugged Media, LLC, and Alexander Bykhovsky, and

1 was filed in this District in part because Plaintiff was visiting family in this District when
2 he received one of the telephone calls at issue in this action.

3 Default pursuant to Fed. R. Civ. P. 55(a) has been entered as to the corporate entity.
4 Dkt. 30. Now pending before the Court is Plaintiff's Motion for Alternative Service
5 ("Motion"), Dkt. 25. Plaintiff in that motion seeks to serve Alexander Bykhovsky via
6 alternative means. Bykhovsky has represented to Plaintiff that he is now located in Panama
7 – notwithstanding still having several properties and businesses located in the United
8 States.

9 Plaintiff seeks to appear via Zoom for this motions hearing. Bykhovsky was
10 provided copies of the Motion via multiple methods, including e-mail, along with a copy
11 of the Court's briefing schedule concerning the Motion. To date, no response to the Motion
12 has been filed.

13 The basis for the electronic appearance request is primarily due to Plaintiff's work
14 schedule as an air traffic controller (Exhibit 1, Declaration of J. Rojas ("Rojas Dec'l), ¶ 3),
15 which schedule necessitates working approximately 48-55 hour work weeks 6 days a week
16 (Rojas Dec'l ¶ 4). Plaintiff lives in Bolingbrook, Illinois, a suburb of Chicago, and would
17 need to pay for air travel to attend the hearing, and miss at least one, and possibly two, days
18 of work to attend the hearing in person. Rojas Dec'l ¶ 5. Plaintiff recognizes that he
19 commenced this action in this venue, primarily because he viewed it as the appropriate
20 forum given Defendants made the telephone call to Plaintiff, who has a 424 "in district"
21 area code, while he was present within the District.

22 Plaintiff believes the parties resources would be conserved utilizing a Zoom
23 appearance, as it would reduce the expenses necessary in this case (primarily the air fare,
24 fares which range from \$200-300) as well as allow Plaintiff to attend the hearing with
25 minimal interruption to his work requirements and obligations. No Defendant in the
26 operative Complaint that has not been dismissed has appeared, and Plaintiff believes that
27 it is unlikely any Defendant will attend the in person hearing, considering that Unplugged
28 Media is not the subject of the motion and that Bykhovsky has stated he is in Panama and

1 "It is logistically impossible for me to address this until/unless I move back to the United
2 States." Rojas Dec'1 ¶ 6. Although Plaintiff believes that his motion addressed the
3 necessary elements required for this Court to grant alternative service, Plaintiff believes
4 that any questions the Court may have can be answered virtually via the Zoom platform
5 with oral argument.

6 Plaintiff respectfully requests the Court allow Plaintiff to appear via Zoom for the
7 hearing. A proposed order consistent with the relief requested is included.

8 Respectfully submitted,

9 Dated: December 1, 2023.

10 /s/ *Jorge Alejandro Rojas*
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14 557 Cambridge Way
15 Bolingbrook, IL 60440
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17 **CERTIFICATE OF SERVICE**

18 A copy of this filing is being sent to Unplugged Media LLC 954 Ponce de Leon Ste
19 205 PMB 10560 San Juan, PR 00907, Alexander Bykhovsky 1800 McLeary Avenue Apt
20 402, San Juan, Puerto Rico 00911, and Alexander Bykhovsky 3371 Rome St APT 1, Las
21 Vegas, NV 89169, via USPS First Class Mail.

22 /s/ *Jorge Alejandro Rojas*
23 Jorge Alejandro Rojas

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